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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,139	06/21/2001	Friedrich Mueller	1998P04724	9013
24131 7590 07/13/2009 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480				
EXAMINER ABEBE, DANIEL DEMELASH				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: FRIEDRICH MUELLER

Application 09/831,139
Technology Center 2600

Mailed: July 13, 2009

Before KRISTA ZELE *Deputy Chief Appeals Administrator*
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 14, 2008. A review of the application has revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed November 19, 2007 is incomplete. The copy of the claims in the Claims Appendix should include all of the claims being appealed. The Claims Appendix in the present appealed application list only the independent claims (11 and 13). The Status of Claims on page 2 of the Brief states that "Claims 11-14 are rejected and under appeal." A copy of claims 11-14 should be included in the Brief's Claims Appendix. Correction is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) notify Appellants to file a paper providing a corrected Claims Appendix to the Brief that includes all of the claims involved in the appeal;
- 2) consider the corrected Claims Appendix; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/vh

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